

SUBSTITUTED TRUSTEE'S SALE

OF VALUABLE REAL ESTATE

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located in Monrovia, New Market Election District, Maryland.

By virtue of the power and authority contained in a Deed of Trust from Interstate Enterprises, Inc., and Interstate Bridge Co., of Md., Inc., bodies corporate, dated August 14, 1979, and recorded in Liber 1094, folio 568, among the Land Records of Frederick County, Maryland, the undersigned Substituted Trustee will offer for sale at the Courthouse door, Frederick, Maryland, on:

MONDAY, AUGUST 26, 1985

AT

10:00 A.M.

all of the following described parcels of real estate:

ALL that tract or parcel of land, situate, lying and being in New Market District, Frederick County, Maryland, and more particularly described as follows:

BEGINNING at an iron pipe set by a fence post on the North 6 1/4° East forty five perch line of the original tract and running with the South side of the Baltimore and Ohio Railroad Right of Way as described in a Deed from Thomas C. Shipley found in Liber JS 37 at folio 103 and as now surveyed three (3) courses and distances: (1) South 85° 10' 42" West 108.50 feet thence (2) South 84° 07' 00" West 99.00 feet thence (3) South 83° 09' 30" West 92.51 feet to an iron pipe, thence (4) South 06° 58' 26" West 145.00 feet to an iron pipe, thence (5) North 84° 12' 18" East 300.00 feet to an iron pipe, thence (6) North 06° 58' 26" East 145.00 feet to the point of beginning, containing 0.98 acres of land, more or less, and as shown on a Plat prepared by Rothenhoefer Engineers, being Drawing No., 740-105 dated January 8, 1974.

Being the same tract or parcel of land conveyed by James Hickman Ganley in a Deed to Joseph H. Ganley and Paul B. Ganley, as tenants in common, dated January 31, 1946 and recorded in Liber 452, folio 201; the one-half (1/2) interest of Joseph H. Ganley was conveyed to Theodore Ward and Rita K. Ward, his wife by Deed dated March 22, 1965 and recorded in Liber 720, folio 309, one of the Land Records of Frederick County.

TOGETHER with all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining.

AND

That certain land, together with 1,653 linear feet of track thereon, situate in New Market Election District, Frederick County, Maryland, and more particularly described as follows:

PARCEL "A"

BEGINNING for the same at a point on the south property line of the old main line of The Baltimore and Ohio Railroad Company a distance of 33.00 feet from the centerline thereof as shown on said company's Right-of-Way and Track map No. V-17.2/20 and on the south property line of the Mount Airy Improvement of said railroad as described in Judicial Proceedings No. 3, page 173, etc., Miscellaneous Docket Number 1871 and as shown on the aforementioned map said point being on the twenty second line in a deed from Thomas C. Shipley to The Baltimore and Ohio Railroad Company and recorded in Liber JS 37 at folio 103 among the Land Records of Frederick County, Maryland thence as now surveyed by Rothenhoefer Engineers and continuing with said line, (1) North 81° 32' 00" East 13.52 feet, thence continuing with said property line 33.00 feet from and parallel with said railroad the following four courses and distances being chords of a curve to the right having a radius of 5,696.78 feet, (2) North 82° 07' 40" East 99.00 feet, thence (3) North 83° 07' 40" East 100.00 feet, thence (4) North 84° 07' 00" East 99.00 feet, thence (5) North 85° 10' 42" East 108.50 feet, thence, continuing with said railroad, no record having been found of said railroad property line, by a curve to the right having a radius of 11,426.19 feet by a chord bearing, (6) North 88° 25' 15" East 675.00 feet, thence with first live lines and part of the sixth line of Lot No. 1, taken by Sheriff's Inquisition versus Nicholas Pitts et al for The Baltimore and Ohio Railroad Company by deed dated August 6, 1831 and recorded in Liber JS 37 at folio 134 among the Land Records of Frederick County, and as now surveyed (7) South 89° 24' 35" East 100.00 feet, thence (8) South 89° 00' 19" East 44.88 feet to a Point of Tangency, thence (9) South 88° 56' 00" East 422.62 feet, to a point on the east side of Maryland State Route 75, thence crossing the railroad property, (10) North 44° 52' 00" West 94.94 feet to intersect the thirty seventh line of Lot No. 1 from Nicholas Pitts et al and continuing with the north property line 33.00 feet from and parallel with said railroad, (11) North 88° 56' 00" West 354.41 feet to the beginning of a curve to the left having a radius of 11,492.19 feet the chord bearing, (12) North 89° 14' 23" West 19.59 feet, thence continuing with that parcel for which no record of property has been found, (13) South 89° 48' 36" West 464.59 feet, thence with the lands obtained from the Society of Friends by deed dated October 16, 1900 and recorded in Liber DHH No. 7 at folio 351 (14) North 23° 54' 21" West 108.00 feet to a point 65.6 feet from the centerline of Mount Airy Improvement thence by a line of division now made through the lands acquired from the Society of Friends and the lands obtained from Jesse W. Brown et al, by Judicial Proceedings No. 3-173 (15) South 72° 16' 09" West 745.61 feet to the point of beginning, containing 116,910 square feet of land, more or less.

PARCEL "B"

BEGINNING for the same at the point of beginning of Sub Parcel A Parcel 2 of the lands conveyed to Interstate Enterprises, Inc., by Louise Umberger Summers and Ethon P. Summers, her husband by deed dated May 11, 1972 and recorded in Liber 877 at folio 90 among the Land Records of Frederick County, Maryland and running therewith as now surveyed by Rothenhoefer Engineers (1) South 23° 27' 30" West 108.76 feet, thence with a portion of the second line (2) North 66° 32' 30" West 26.00 feet, thence with the third and fourth lines

of Parcel 1 in said deed reversed (3) South 23° 27' 30" West 40.12 feet, thence (4) North 66° 32' 30" West 30.00 feet to intersect the third line of Sub Parcel A of Parcel 2 and running therewith (5) South 23° 27' 30" West 40.98 feet to a point in the center of Maryland State Route No. 75 and running therewith (6) South 66° 32' 30" East 51.91 feet to intersect the thirty seventh line of Lot No. 1 from Nicholas Pitts et al Liber JS 37 at folio 134 and running therewith, reversed (7) South 88° 56' 00" East 20.22 feet to a point on the twenty sixth line in a deed to Paul A. Zimmerman and Jean A. Zimmerman, his wife from The Baltimore and Ohio Railroad Company dated May 23, 1967 and recorded in Liber 768 at folio 37 conveyed to Interstate Enterprises, Inc. December 29, 1967 by Liber 777, folio 429 and running with the lines thereof reversed (8) North 27° 37' 12" East 94.91 feet, thence (9) South 81° 44' 51" East 103.25 feet, thence (10) North 08° 28' 30" East 79.95 feet to a point 50.00 feet from the centerline of the Mount Airy Improvement thence by a line of division now made and a curve to the left having a radius of 1,587.28 feet a central angle of 05° 27' 07" by a chord bearing (11) North 75° 14' 06" West 150.98 feet, thence (12) South 73° 33' 19" East 49.16 feet to the point of beginning, containing 14,660 square feet of land, more or less.

PARCEL "C"

BEGINNING for the same at a point 45.00 feet left of Station 2060 + 89.16 TS as shown on The Baltimore and Ohio Railroad Company's Right-of-Way and Track Map No. V17.2/20 and running 45.00 feet from and parallel with the centerline as shown thereon by a spiral, the chord bearing, (1) South 51° 54' 22" West 306.73 feet to a point 45.00 feet left of Station 2063 + 89.16 SC, thence by a curve to the right having a radius of 1,000.37 feet a central angle of 68° 18' 00" a chord bearing, (2) North 88° 08' 30" West 1,123.13 feet thence (3) North 56° 15' 14" West 22.75 feet thence leaving said railroad, (4) South 46° 30' 29" West 72.07 feet coincident with the sixteenth line of that deed to Paul A. Zimmerman et al, Liber 768 at folio 37 after five (5.00) feet, thence with the north property line of the old main line of The Baltimore and Ohio Railroad Company and the south side of that parcel conveyed to said railroad by Berthier O. Frizzell et al by deed dated Sept. 14 1900 and recorded in Liber DHH No. 7 at folio 266 by a curve to the left having a radius of 683.78 feet by a chord bearing, (5) South 77° 55' 44" East 872.67 feet thence with Lot No. 2 taken by Sheriff's Inquisition versus Nicholas Pitts et al, for The Baltimore and Ohio Railroad Company by deed dated August 6, 1831 and recorded in Liber JS 37 at folio 134 among the Land Records of Frederick County, Maryland three (3) courses and distances, (6) North 79° 03' 30" East 206.16 feet to a point, thence (7) North 58° 45' 44" East 56.56 feet to a point thence, (8) North 54° 45' 44" East 37.39 feet to a point, thence with the first line of Parcel No. 1 conveyed to The Baltimore and Ohio Railroad Company by John Smith by deed dated August 6, 1831 and recorded in Liber JS 37 at folio 67, (9) North 54° 45' 44" East 58.48 feet, thence with the first two lines of Parcel No. 1 in a deed from Bett Brashear to The Baltimore and Ohio Railroad Company dated August 6, 1831 and recorded in Liber JS 37 at folio 124, (10) North 52° 00' 40" East 98.74 feet thence (11) North 43° 15' 44" East 26.84 feet, thence with the second and third lines reversed in the third lot acquired by The Baltimore and Ohio Railroad Company from Jesse M. Burrall et al by Judicial Proceedings No. 3-30 Miscellaneous Docket No. 1819, (12) North 52° 42' 50" East 469.25 feet to a fence post and continuing with said fence line, (13) North 52° 42' 50" East 310.75 feet, thence (14) North 36° 31' 10" West 78.62 feet to a point 45.00 feet south of the center of the railroad and continuing 45.00 feet from and parallel with said railroad, (15) South 48° 42' 30" West 555.07 feet to the point of beginning, containing 156,110 square feet of land, more or less.

TERMS OF SALE: A deposit of \$5,000.00 will be required of the successful bidder at the time and place of sale in the form of cashier's, certified or other check acceptable to Assignee, payable or endorsed to the Assignee. The balance of the purchase price shall be paid within 10 business days of the ratification of the sale by the Circuit Court for Frederick County, Maryland (unless postponed at sole option of Assignee), with interest to be paid on the unpaid balance of the purchase price from the date of the auction sale to the date of final settlement at the rate of 10.0% per annum. Taxes and other public charges and assessments shall be adjusted for current year payment to date of auction sale and assumed thereafter by the purchaser. Assignee reserves the right to withdraw the herein described property from sale at any time. In the event of default, the Assignee reserves the right to declare as forfeited the deposit of purchaser as liquidated damages or to resell the property at the purchaser's risk. The property herein is being sold subject to all Federal, State and County laws and ordinances which may affect the property and/or its use, as well as all easements, restrictions, covenants, and conditions and other matters of record which may be superior to the mortgage being foreclosed.

All costs incident to the settlement, conveying, and recordation, including without limitation, recording costs and taxes, transfer taxes, revenue stamps, survey expense (if any), document preparation, settlement fees, notary fees, and title search charges and title insurance premiums will be at the cost of the purchaser.

LAWRENCE E. HEFFNER, JR.

Substituted Trustee

3 North Court Street

Frederick, Maryland 21701

Attorney

DELBERT S. NULL, Auctioneer